IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.52232-M of 2006

DATE OF DECISION: SEPTEMBER 29, 2006

Balkar Singh

...PETITIONER

VERSUS

State of Haryana ....RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Jagdish Manchanda, Advocate,
for the petitioner.
Mr.M.S.Sindhu, DAG, Haryana.

...

Petitioner Balkar Singh has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.145 dated 2.8.2005 registered under Sections 363/366/376 IPC at Police Station Sadar, Sirsa.

I have heard the counsel for the parties and gone through the contents of the FIR as well as the order dated 12.8.2006 passed by the Sessions Judge, Sirsa, vide which bail has been declined to the petitioner.

Undisputedly, the petitioner is in custody since 13.8.2005. In this case, both the sisters of the complainant, namely, Kalo Bai and Pammi Rani, in their statements recorded under Section 164 Cr.P.C., did not support the prosecution version at all. Even Kalo Bai (PW4) in her statement before the Court had stated that no occurrence of her abduction or rape had ever taken place. Copy of the said statement has been placed on record as Annexure P-1.

In view of the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioner and he is accordingly ordered to be released on bail to the satisfaction of the trial Court.

September 29, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE